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OFFICE OF PETITIONS

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In re Application of :
Leanne M. Schrecengost et al. :
Application No. 10/694,363 :
Filed: February 28, 2005 : DECISION ON PETITION
Attorney Docket No. P-5218D1 :
Title: ATP EXTRACTION METHOD :

This is a decision on the petition filed February 28, 2005

On October 27, 2003, the above-identified application was deposited. On August 26, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice to File Missing Parts of Non-provisional Application - Filing Date Granted (notice)", advising applicant that the oath or declaration was unsigned, the associated surcharge would be required, and Figure 7 appeared to have been omitted. The Notice set a two-month period for response.

On February 28, 2005, Petitioner submitted a petition, along with Figure 7, payment of the petition fee, an executed declaration, and the surcharge associated with the late submission of the same. Petitioner has further included a four-month extension of time to make timely this response¹. Based on the text of the petition, it is clear that Petitioner accepts the date of deposit of the formerly omitted drawings as the filing date.

The petition is **GRANTED**.

¹ The petition contains a certificate of mailing dated February 28, 2005.

The application file is being forwarded to the Office of Initial Patent Examination for further processing with a **filing date of February 28, 2005**, the date of receipt of the formerly omitted item, Figure 7, using the original application papers filed October 27, 2003, as well as the figure submitted with the petition on February 28, 2005. **OIPE will then mail a corrected filing receipt.**

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



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